srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3312 OF 2007.

Zakaria Masjid Trust and others. ..Petitioners.
Versus.
Charity Commissioner & Anr. ..Respondents.

Pradeep J. Ramchandani for the petitioners.
V. P. Malwankar A.G.P. for the State.

CORAM: S. B. MHASE &
S. R. SATHE,JJ.
DATE: JULY 2, 2007.

P.C.

1. We refrain to entertain the petition only on the ground that the order which has been challenged by the petitioner is of the year 2003. This order was accepted by the petitioner by keeping silence from the year 2003 to 2007. Petition suffers from the delay and latches. No explanation has been offered in the petition in respect of the delay and latches. We make it clear that in respect of the present petitioner - trust there is no petition pending in this Court. Petitions which are pending in this Court are relating to the question whether those trusts are trusts and not wakfs, and those individual questions are to be considered in those petitions. So far as the present petition is concerned it has been held to be a wakf in the year 2003 and the said order has not been challenged till the year 2007. No explanation has been offered for delay and latches. We, therefore, refrain to entertain the petition. Petition is hereby rejected.

(S.R.SATHE,J.) (S.B.MHASE, J.)